

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL REFERENCE : APP/L1765/C/22/3300720

**RE: LAND AT SHEDFIELD EQUESTRIAN CENTRE, BOTLEY ROAD, SHEDFIELD, HAMPSHIRE,
SO32 2HN**

SECTION 174 APPEAL BY: CHRISTOPHER IAN COLLINS

**STATEMENT OF CHRISTOPHER IAN COLLINS – RESPONSE TO
REPRESENTATIONS FROM THE LOCAL PLANNING AUTHORITY AND THIRD PARTIES**

I, **CHRISTOPHER IAN COLLINS** of Ivy Cottage, Wickham Road, Curdridge, Southampton, SO32 2HG state as follows:-

1. The facts to which I refer in this statement are within my own knowledge except where I indicate otherwise. Where facts are within my own knowledge, I know they are true. Where I am informed of facts by others, I believe them to be true.
2. This statement is my response to the statement made by the Winchester City Council and the third party comments concerning my Enforcement Notice appeal.
3. In this statement I refer to paragraphs numbered in the Winchester City Council (**Council**) Statement of Case dated August 2022 (**Statement**).
4. I refer to clause 1.5 of the Statement and I confirm that the other two relevant appeals are those with appeal reference numbers:-

APP/L1765/C/22/3300697

APP/L1765/C/22/3300722

Ground (d) – Immunity

5. I repeat the information and statement set out in my witness statement dated 8 August 2022.

Ground (f) - Steps required exceeding what is necessary to remedy any breach

6. The Site has not been "open countryside" for at least 10 years. The requirement to return the Site to grass is exceeding the requirements that are necessary to remedy the alleged breach. If this appeal is unsuccessful, I acknowledge that the building will need to be removed but I do not consider it is necessary to remove the hard standing; to lay top soil; and then seed with grass.

Ground (g) - Time for compliance – what should reasonably be allowed

7. The Council has referred to a search on Property Link on the Estates Gazette website. I have undertaken the same search by which I searched for general industrial units within 5 miles of Shedfield. I have chosen the description "general industrial" since this is the use of IT Autos. My search produces 15 properties within the search criteria. All of those 15 are on urban industrial estates which are unlikely to permit vehicle maintenance and repair. One property at Church House Farm is not on a standard industrial estate but the rental is £50,000 per annum. Accordingly, none of these properties are suitable for IT Autos.
8. At paragraph 4.4 of the Statement the Council refers to a Priority Habitat which is located 215 metres away from the Site. Also, there is reference to a SINC which is approximately 185 metres from the Site. For the reasons explained below the IT Autos business does not create any threat or harm to the Priority Habitat or the SINC. Therefore, during the requested compliance period of 18 months there will be no continuing or threatened harm to the trees or the Priority Habitat or the SINC.
9. Referring to paragraph 4.5 of the Statement, the reference to trees having already been removed/damaged in this area does not mean that the continued use of the Site by IT Autos is going to cause or likely to cause any further damage to trees.
10. Referring to paragraph 4.6 of the Statement, there is no evidence that there is any water run off from the Site which is going to cause any further damage or likely to cause damage to trees in the vicinity. It is acknowledged by the Council that the Barrell Tree Consultancy report dated 22 October 2020 covers the entire site of Shedfield Equestrian Centre and is not specifically relevant to the Site.

Third Party Representations

11. The third party representations refer to noise. The noise created by IT Autos is not mentioned.

12. There is reference to increase in traffic in the event of IT Autos continuing to occupy the Site during the compliance period. I have spoken to Mr Ian Tuffs who explained that having reviewed his diary he has between 3 and 4 customers each day. The vehicle movement is usually the customer arriving in the morning with his or her vehicle and collecting the vehicle in the afternoon following the repairs. As previous stated in Mr Tuffs' statement, he has two employees, namely himself and his assistant. Their vehicle movements would be themselves arriving in the morning and leaving in the afternoon. Such limited vehicle movements are a very small proportion of the total vehicle movements in and out of Shedfield Equestrian Centre.

13. With regards to environmental issues, Mr Tuffs has a bunded oil tank in which he collects all oils and petrols from his repair activities. This tank is emptied under a waste disposal service contract. All vehicle parts removed from vehicles during the repairs and other disposable items are collected in a specific commercial waste bin which is emptied under a waste disposal service contract. IT Autos' activities do not cause or threaten to cause any harm to the Site or in the vicinity.



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Christopher Ian Collins

Dated: 25 August 2022